

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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IN RE: : CASE NO.: 19-12407-cgm  
Anibal Rivera, : CHAPTER: 13  
Debtor :  
: HON. JUDGE.:  
: Cecelia G. Morris  
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**ORDER GRANTING IN REM RELIEF**

**WHEREAS**, on or about July 25, 2019, this case commenced upon the filing of a Voluntary Petition for Bankruptcy under Chapter 13 of the United States Bankruptcy Code in this Court; and

**WHEREAS**, on or about September 30, 2019, a motion was filed by BSI Financial Services as servicer for US Bank Trust NA, as Trustee of the Igloo Series III Trust (with any subsequent successor or assign, the "Movant") seeking an Order granting In-Rem Relief from Automatic Stay; and

**WHEREAS**, on or about October 24, 2019, this Court held a hearing on the motion, at which counsel for the Movant appeared;

**NOW, THEREFORE**, it is *hereby*

**ORDERED**, that for the reasons set forth in the Motion and on the record at the hearing, that Movant's motion is granted, and it is hereby:

**ORDERED**, that the automatic stay under 11 U.S.C. § 362(a) is also vacated under 11

U.S.C. § 362(d)(1) as to Movant's interest in the Property, to permit Movant to pursue its rights under applicable law to the Property; and it is further

**ORDERED** that the Co-Debtor stay in effect pursuant to section 1301(a) of the Bankruptcy Code is hereby modified to allow Movant its successors and/or assigns to commence and/or continue with a foreclosure action and eviction proceeding with regards to the Property; and it is further

**ORDERED** that unless specifically provided in loan documents signed by the debtor, the Movant may not collect fees, expenses or other charges associated with a current or subsequent mortgage servicer; and it is further

**ORDERED**, that pursuant to 11 U.S.C. § 362(d)(4), upon entry of the within Order, any future filing in any case under the Bankruptcy Code purporting to affect the real property known as 1867 Muliner Avenue, Bronx, NY 104629 (County: Bronx; Block: 4055; Lot: 157), shall not operate as a stay against Movant, its successors and/or assigns for a period of two years marked from entry of the within Order.

**Dated: October 29, 2019**  
**Poughkeepsie, New York**



**/s/ Cecelia G. Morris**

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**Hon. Cecelia G. Morris**  
**Chief U.S. Bankruptcy Judge**